



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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October 7, 1994

Rep. Richard and Mrs. Mary L. Kehl  
1022 Shields Lane  
Salt Lake City, Utah 84065

Re: Response to written objection to DOGM's Notice of Tentative Approval, Kennecott Corporation, Barneys Canyon Mine, M/035/009, Salt Lake County, Utah County, Utah

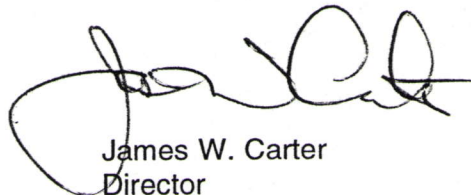
Dear Mr. and Mrs. Kehl:

Thank you for your letter dated September 22, 1994, wherein you protest the decision of the Division of Oil, Gas and Mining (the "Division") to tentatively approve Kennecott Corporation's proposed mine plan expansion for the Barneys Canyon Gold Mine.

Pursuant to Utah Admin. R. 647-4-116.4, a hearing is to be held before the Board of Oil, Gas and Mining if "written objections of substance are received by the Division during the public comment period." See Utah Admin. R. 647-4-116.4 (1993). The Division has evaluated your objection and has determined that they are not "substantive" under the regulatory provisions of the Mined Land Reclamation Act, Utah Code Ann. § 40-8-1 et. seq. (1993)(the "Act"). Your objections fail to identify a specific permitting deficiency, or any alleged violations of the Act or implementing regulations. Rather, your objections appear to be related to a private property or mineral rights dispute, which the Division is without jurisdiction to regulate. Accordingly, the Division has determined not to notice up your objections for hearing before the Board.

Thank you for your letter. Please let us know if we can answer any questions you may have regarding the Division's response in this matter.

Very truly yours,



James W. Carter  
Director

jb  
cc: Dave Lauriski, Board Chairman  
Bill Richards, Assistant A.G.  
Jeff Tygesen, Barneys Canyon Mine  
M035009.por

